

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : Curt R. EYSTER, et al. Conf. No.: 8576  
Serial No. : 09/963,243 Art Unit: 1743  
Filed : September 26, 2001 Examiner: Lyle Alexander  
For : COLORIMETRIC TEST DEVICE WITH REDUCED ERROR

I hereby certify that this correspondence is being transmitted via  
The Office electronic filing system in accordance with 37 CFR 1.6(a)(4) on

April 25, 2008  
(Date of Deposit)

Drew R. Herndon  
(Name of applicant, assignee, or Registered Representative)

/Drew R. Herndon/  
(Signature)

April 25, 2008  
(Date of Signature)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other

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than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with  the first or  second After Final Submission, therefore:

- Statement in Accordance with §1.97(e) (attached); or  
 Please charge Deposit Account No. 10-0750/LFS123USNP/KQT the fee of \$180.00 as set forth in §1.17(p).

In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

- Statement in Accordance with §1.97(e) (attached); or  
 Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in §1.17(p).

In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with §1.97(e) as set forth below and the fee of \$180.00 as set forth in §1.17(p).

Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith. The references cited by the foreign patent office are in the Japanese language, thus

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English language abstracts for the referenced publications are attached herewith, as are the U.S. counterpart patent publications corresponding to the Japanese publications.

Copies of references listed on the attached Form PTO-1449 are enclosed herewith  
EXCEPT THAT:

- In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.
- If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.
- Copies of only foreign patent documents and non-patent literature are enclosed in accordance with 37 CFR 1.98 (a)(2).
- There are no listed references which are not in the English language.
- The relevance of those listed references which are not in the English language is as follows:
  - Attached are copies of communication(s) from corresponding patent application(s), which are listed on the attached PTO-1449 and submitted in accordance with MPEP 609 D.
  - Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

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Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750, Docket No. LFS123USNP/KQT.

Respectfully submitted,

Dated: April 25, 2008

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